

479

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

W.P. (CIVIL) NO. 494 OF 2012

IN THE MATTER OF:

JUSTICE K.S. PUTTASWAMY (RETD.) & ANR.

.... Petitioner(s)

VERSUS

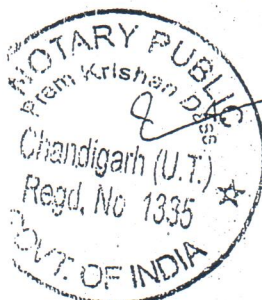
UNION OF INDIA & ORS

.... Respondent(s)

AFFIDAVIT ON BEHALF OF THE STATE OF HARYANA

I, Vivek Atray, aged about 47 years, presently posted as Additional Secretary, Electronics & Information Technology Department, Chandigarh, Government of Haryana, do hereby solemnly affirm and state as under:

1. That the Additional Chief Secretary & Financial Commissioner, Revenue & Disaster Management Department, Government of Haryana, is the State Registrar for UID Project and the Electronics & Information Technology Department has been nominated as the nodal Department for implementation of the UID Project.
2. That as Additional Secretary of the nodal Department, and being well acquainted with the facts & circumstances of the case, I have been duly authorized to file this affidavit in the present case on behalf of the State of Haryana.
3. That I have read the contents of W.P. (CIVIL) NO. 494 of 2012 along with annexures and interim orders dated 23.09.2013 & 26.11.2013 passed by this Hon'ble Court in this behalf.



That in so far as the State of Haryana is concerned, the following submissions are made:

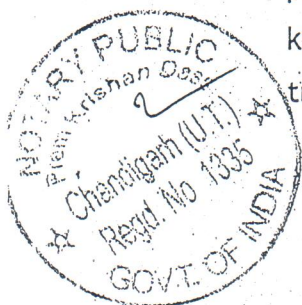
- 4.1 The Haryana Government concurs with the response dated 7th October, 2013 filed by the UIDAI in this case, so far as the rationale, usefulness & utility of Aadhaar is concerned.
- 4.2 That the State of Haryana is implementing various Social Benefit Schemes for its entitled residents including the Schemes sponsored by the Central Government.
- 4.3 That the residents of Haryana are getting themselves enrolled for the UID through various Central Registrars/ State enrollment agencies. As on date, a total of 1.94 crore residents out of a resident population of 2.53 crore (2011 census), constituting 76% of the resident population of the state, have been enrolled for Aadhaar as per information collected from the UIDAI. Facilities have also been created/ are being created for establishment of Permanent Enrollment Centres in different parts of the State to ensure that the residents do not face any difficulties for the said purpose.
- 4.3 That the State Government is bound to comply with the conditions prescribed/ mandated by the Central Government qua the Central Government sponsored Schemes. As such, the State Government is required to comply with the stipulations of the Central Government wherever entitlement/ disbursement of social benefits has been linked with Aadhaar number/ enrollment and so mandated.
- 4.4 That in so far as the implementation of the State sector Social Benefit Schemes are concerned, keeping in view that about 24% of the state's resident population is yet to be enrolled for Aadhaar, the State of Haryana has not issued any orders till date linking the delivery of such social benefits only with the Aadhaar.
- 4.5 That Haryana Government decided to accept the Aadhaar as a valid document for Proof of Identity (PoI) and Proof of Address (PoA) for various schemes of the State vide its Notification No. 62/06/2012-6GSI, dated 1st March 2012. A true copy of the Notification is annexed herewith and marked as Annexure A-1. It



may be noted from a perusal of the said Notification that Aadhar is one of the several documents accepted as Proof of Identity (PoI) and Proof of Address (PoA) and not the only document.

4.6 That it is respectfully submitted that the State of Haryana is implementing a numbers of Social Benefit Schemes, some of which allow higher benefits than that those admissible under the Central Government schemes. A list of some of the schemes is enclosed as Annexure A-2. The database of entitled beneficiaries under each of these schemes is being maintained and updated separately by the respective departments. Since these databases do not have interface with each other in the absence of a common State Resident Database at this stage, the possibility of duplicate beneficiaries or pilferages in the delivery of benefits to the intended beneficiaries cannot not be ruled out. The process of enrollment under the UID project ensures de-duplication of these beneficiaries and establishes the individual identity of a beneficiary. As such, it is considered important to incrementally link the administration of these individual benefit oriented schemes with Aadhaar so as to address the pilferage related issues and to ensure that the benefits actually reach the entitled and intended beneficiaries.

4.7 That the State of Haryana has conceptualized the creation of a State Resident Database (SRDB) as part of its IT driven Onestate project for which it is looking forward to getting the demographic details from the National Population Register (NPR) database, supplemented by the data available from the UIDAI. Once the State Resident Database is created with proper cleaning and validation, it would be available for use as a single reference database for the state residents and become an effective instrument for efficient delivery of individual social benefit schemes but also emerge as a potent source for delivery of a host of citizen services (e.g. various kinds of certificates) in electronic mode in a hassle-free and transparent manner.



DEPONENT

Vivek Atray
Addl. Secy. E&IT

482

VERIFICATION:

Verified at Chandigarh on this day 02.12.2013 that the averments of facts stated herein above are true and correct to my knowledge and belief and nothing material has been concealed therefrom.

Vivek Atray

DEPONENT

Vivek Atray
Addl. Secy. E&IT

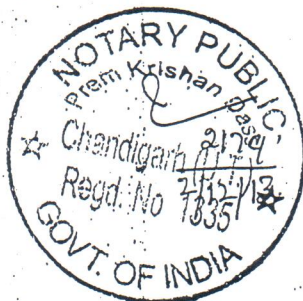
Settled by

Narender Hooda
Sr. Advocate
Sr. Addl. A.G. Haryana

Solemnly Affirmed Declared
& Signed before me

[Signature]
Notary, Chandigarh (U.T.)

02 DEC 2013



KAMAL MOHAN GUPTA
Advocate-on-Record
Bar Library No. 1
Supreme Court of India
New Delhi (Ph:9810188819)

Government of Haryana
General Administration Department
General Services-I Branch
Notification
The 1st March, 2012

No.62/06/2012-6GSI - The Unique Identification Authority of India (UIDAI) has been entrusted with the responsibility of issuing UID numbers (Aadhaar numbers) to all residents in India to define usage and applicability of the Aadhaar number for delivery of various services. The process of issuing UID numbers to all residents of the State has also been initiated. Therefore, the State Government has decided to use the UID numbers as a valid document for proof of identity (POI) and Proof of Address (POA) for various schemes of the State. Among other documents admissible as Proof of Identity and Proof of Address, the Aadhaar Number may also be used as POI and POA, subject to the following guidelines:

1. Introduction

- 1.1. Enrollments for Aadhaar numbers in Haryana are currently being carried out through the Smart Card based Ration Card project. In addition, central UID registrars are also carrying out enrollments and enrollments through the NPR projects are expected to be started soon. It is anticipated that a significant portion of the state residents would be enrolled in this manner within the next 12 months.
- 1.2. One of the main benefits of the issuance of Aadhaar numbers is to enable the Residents to use it as a reliable and easy-to-use *Proof of Identity and Proof of Address*. In order to achieve this objective in a reasonable and consistent manner across the state, following guidelines are issued herewith for use by all government departments, boards, corporations and other agencies.

2. Definitions

In order to interpret these guidelines as intended, it is important to note the following definitions written for this context:

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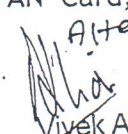
Vivek Atray
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Sr No	Term	Definition
1	Individual Identity, Identity, ID	The condition of being oneself and not another; condition or character as to who a person is; the state or fact of being the same one as described adapted from: http://dictionary.reference.com/browse/identity
2	Identity data, ID data	A limited representation of a specific person's identity in the form of a set of attributes either stored on computer-based information systems or otherwise recorded on any media (including electronic media, such as Smart Cards). This could include biometric data, as well as personal information such as Name, Date of Birth, Place of Birth, Father's Name, Place of residence and so on.
3	Identity Verification, Authentication	The process of using a person's ID Data to adequately identify a person. E.g., 1. comparison of a person's facial characteristics with a photograph on an ID Card 2. asking to demonstrate sufficient knowledge of the ID data (such as the name, address and date of birth) when verifying over the phone 3. scanning a person's finger print (biometric data) and comparing with the ID data available on a database or a Smart Card.
4	Biometric data	Data such as fingerprints, IRIS images, retina images, voice prints and facial photographs, often used to identify a person.
5	Address	Refers to the current residential address of a person. In the context of Aadhaar number based verification, this does NOT mean Permanent Address or a Place of Domicile or Nativity.

3. Guidelines:

These guidelines apply to all state government departments, boards, corporations and agencies, in the context of any citizen service delivery or citizen interaction and describe how (and under what circumstances) Aadhaar number may be used to verify any resident's identity and address.

3.1 General Principle - Proof of Identity: Upon successful verification of identity based on Aadhaar number, an individual is deemed to have provided adequate proof of identity (such as a PAN Card,

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Ration Card, Voter ID Card, Government ID card etc.). No further documentary evidence is required.

- 3.2 General Principle - Proof of Address: Upon successful verification of address based on Aadhaar number, an individual is deemed to have provided adequate proof of current residential address (such as a Ration Card, Electricity Bill, Telephone Bill etc.). No further documentary evidence is required.
- 3.3 Even in situations where current processes/ procedures require separate documents as Proof of Identity and Proof of Address, the Aadhaar number based verification will satisfy both requirements at the same time.
- 3.4 General Principle - Aadhaar number is NOT MANDATORY: A service and/or interaction may NOT be denied to any individual in the absence of an Aadhaar number as the Aadhaar number is not mandatory. The Aadhaar number as 'POI' or 'POA' is another additional source in addition to other accepted alternatives.
- 3.5 During the interaction, obtaining the Aadhaar number is only the first step in the identity and address verification processes. Computer based online verification is essential to complete the process. There may be special circumstances where alternative means of verification may also be acceptable (e.g., using of telephone call to a center with a computer-based online verification facility; or an offline verification facility). Such alternatives may be used only with the permission of a competent authority.
- 3.6 The Aadhaar number may NOT be refused for this purpose - unless suitable facilities (such as a computer-based online verification facility) are unavailable.
- 3.7 Automated authentication using biometrics: Using the Aadhaar number and through the use of suitable computer equipment and software, a person's biometric data may be captured and automatically verified against the UIDAI's Central ID Repository (CIDR) or the Haryana State Resident Data Base (SRDB). By virtue of this guideline, when successful, this process is considered as the most reliable form of identity verification (authentication) and should be treated as adequate for all purposes.

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- 3.8 Automated authentication/verification using non-biometric data: Where allowed by process, along with the Aadhaar number, sufficient personal information may be keyed (e.g., verbally or written on an application form) into the computer system for automated online verification against the CIDR or the SRDB. This should be treated as sufficient verification - unless specifically disallowed by competent authority for that particular service/interaction.
- 3.9 Manual verification using Aadhaar number: Where allowed by process, using the Aadhaar number, a person's facial photograph and/or sufficient personal information may be retrieved from the computer and used for manual identity verification by a computer user. In this case, the responsibility of verification rests with the computer user. This method is not available with the CIDR. Where available, this may still be used as a fall back method to avoid service denial - using a process approved by a competent authority.
- 3.10 Special Provisions - Date of Birth: CIDR and SRDB records of a resident's Date of Birth may or may not be verified (i.e., a declaration, without proof or verification is also accepted at the time of enrollment). The computer user should treat the Date of Birth as reliable only if it is marked as **verified**.
- 3.11 Special Provisions - Address: A person may have changed the place of residence without notifying the UIDAI (in the CIDR) or the state government (in the SRDB). This could lead to incorrect address on the government records. However, without sufficient reason/evidence, service should not be denied due to this mere possibility/suspicion.

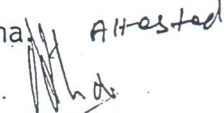
URVASHI GULATI
Chief Secretary to Government of Haryana

Endst. No.62/06/2012-6GSI

Dated Chandigarh, the 1st March, 2012

A copy of the above is forwarded to the following for information and necessary action:

1. All the Administrative Secretaries to Government of Haryana

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Vivek Atray
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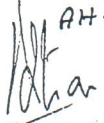
487

2. All Heads of Departments and Commissioners, Ambala, Hisar, Rohtak and Gurgaon Divisions.
3. The Registrar, Punjab and Haryana High Court, Chandigarh.
4. All the Deputy Commissioners in the State of Haryana.
5. All the Managing Directors of Boards/Corporations/Public Undertakings.
6. All the Registrars of the Universities in the State.
7. Sh. Amitabh Avasthi, ADG, UIDAI, Regional Office, SCO 139-141, Sector 17-C Chandigarh.

Under Secretary General Administration,
for Chief Secretary to Government of Haryana

INTERNAL CIRCULATION

State Informatics Officers, NIC, Haryana for hosting these notification on the website of CS.

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Vivek Atray
Addl. Secy. E&IT

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Social Welfare SchemesCentrally Sponsored Schemes

- 1 Janani Suraksha Yojana (JSY)
- 2 Post-Matric Scholarship for SC Students
- 3 Post-Matric Scholarship for OBC/ BC Students
- 4 Post-Matric Scholarship for Minority Students
- 5 National Means cum Merit Scholarship for Minority Students
- 6 National Means cum Merit Scholarship
- 7 National Scheme for incentive for the girl child for Secondary Education.
- 8 Central Sector Scheme of Scholarship for Colleges & Universities.
- 9 National Family Benefit Scheme
- 10 Insurance Scheme (NIRAMAYA)
- 11 Indira Gandhi National Old Age Pension Scheme
- 12 Indira Gandhi National Widow Pension Scheme
- 13 Indira Gandhi National Disability Pension Scheme

State Schemes

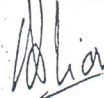
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| 14 | Old Age Samman Allowance Scheme | Share for BPL beneficiaries
come from the Central Govt. |
| 15 | Widow Pension Scheme | |
| 16 | Disability Pension Scheme | |
| 17 | Financial Assistance to Destitute Children Scheme | |
| 18 | Ladli Social Security Allowance Scheme | |
| 19 | Financial Assistance to Kashmiri Migrants Families Scheme | |
| 20 | Allowance to dwarfs and Eunuch | |
| 21 | Scholarship for Physically Handicapped | |
| 22 | Unemployment Allowance to Physically Handicapped Persons | |
| 23 | Reimbursement of the Cost of Aids and Appliance/Artificial Limbs | |
| 24 | Other Grant-in-aid Schemes (Disabled Welfares) | |
| 25 | Financial Assistance to non-school going Disabled Children. | |
| 26 | Rajiv Gandhi Parivar Bima Yojana | |
| 27 | Welfare of old age/Infirrm Persons | |
| 28 | Government Institute for the Blind | |
| 29 | Scholarship under FAIR PLAY scheme for SC Category players | |
| 30 | Indira Awas Yojna | |
| 31 | Kanyadan Scheme | |
| 32 | Unemployment Allowance Scheme | |

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Addl. Secy. E & IT

489

- 33 Incentive for Inter-caste Marriage
- 34 Animal Insurance Scheme
- 35 Self Employment Scheme

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